

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**TESCO CORPORATION,**

**Plaintiff,**

**v.**

**WEATHERFORD INTERNATIONAL,  
INC., NATIONAL OILWELL VARCO,  
L.P., OFFSHORE ENERGY SERVICES,  
INC., and FRANK'S CASING CREWS &  
RENTAL TOOLS, INC.,**

## Defendants.



**CIVIL ACTION # 4:08-cv-02531**

## JURY TRIAL DEMANDED

**SERVICE OF DEFENDANT FRANK'S CASING CREW AND  
RENTAL TOOLS, INC.'S P.R. 3-8 DISCLOSURES AND NOTICE THEREOF**

Defendant Frank's Casing Crew and Rental Tools, Inc. ("Frank's"), pursuant to Local Rule P.R.3-8, files this Notice to inform the Court that on February 12, 2010, it served its List of Documents upon which Frank's plans to rely as a defense to willful infringement upon Plaintiff Tesco Corporation ("Tesco").

As a defense to Tesco's claim of willful infringement, Frank's intends to rely on at least the following documents:

1. The reexamination proceedings of U.S. Patent Nos. 7,140,443 (the “’443 Patent”) and 7,337,324 (the “’324 Patent”) (collectively, the “Patents-in-Suit”);
2. Defendants’ Preliminary Invalidity Contentions served May 21, 2009, and any documents referred to therein;
3. Defendants’ Supplemental Preliminary Invalidity Contentions served October 19, 2009, and any documents referred to therein;

4. Defendants' Final Invalidity Contentions to be served February 26, 2010;
5. All drawings and technical documentation related to Frank's accused products, which show Frank's lack of infringement of the Patents-in-Suit;
6. Any other produced documents that illustrate Frank's lack of infringement of the Patents-in-Suit or the invalidity of the Patents-in-Suit;
7. Any testimony related to Frank's lack of infringement of the Patents-in-Suit or the invalidity of the Patents-in-Suit;
8. The practice of features in Frank's allegedly infringing products found in the prior art, including but not limited to Tesco's April 2002 Brochure;
9. Other documents later determined to be relevant;
10. In rebutting Tesco's charge of willful infringement, Frank's intends to rely upon evidence relating to invalidity in view of the statements and findings of invalidity by the PTO in the reexaminations, invalidity contentions, and other relevant evidence described above, including but not limited to the failure of Tesco to file a motion for preliminary injunction.

Dated: February 12, 2010

Respectfully submitted,

/s/ Lester L. Hewitt  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by email this 12th day of February, 2010.

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/s/ Lester L. Hewitt  
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